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AMGUARD INSURANCE COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA – LAS VEGAS

MANUEL GARCIA, individually,
Plaintiff,

v.

AMGUARD INSURANCE COMPANY, an
insurance exchange; DOES I through X, and
ROE CORPORATIONS XI through XX,
Inclusive,
Defendants.

CASE NO. 2:23-cv-00612-JCM-NJK

[Former Eighth Judicial District Case No. A-23-867516-C, Department 14]

**STIPULATED DISCOVERY PLAN AND
SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE WITH
LR 26-1(b)**

Complaint Filed: March 20, 2023

Defendant AMGUARD INSURANCE COMPANY (“AmGUARD”) and Plaintiff
MANUEL GARCIA (“Garcia”), by and through their respective counsel of record, hereby submit
this proposed Stipulated Discovery Plan and Scheduling Order.

On Wednesday, May 10, 2023, the parties held a telephonic conference to comply with
Federal Rule of Civil Procedure 26(f) and Local Rule 26-1. The parties propose to the Court the
following discovery plan and deadlines:

1. Rule 26(a)(1) Initial Disclosures: **June 9, 2023**
2. Amend Pleadings and Add Parties: **July 25, 2023**
3. Rule 26(a)(2) Disclosures (Experts):
 - a. Initial Expert Disclosure: **August 24, 2023**
 - b. Rebuttal Expert Disclosure: **September 22, 2023**

1 4. Close of Discovery: **October 26, 2023**

2 5. Dispositive Motions: **November 22, 2023**

3 6. Pretrial Order: **December 22, 2023**

4 The disclosures that Rule 26(a)(3) requires will be made in the joint pretrial order. If
5 dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until
6 30 days after decision on the dispositive motions or further court order.

7 Subjects of Discovery. The parties are not requesting any limitations on discovery at this
8 time, but reserve their right to file a protective order under Rule 26(c) regarding any discovery
9 request.

10 Protective Orders. AmGUARD anticipates the production of confidential, trade secret, and
11 commercially sensitive information during the pendency of this action. As such, AmGUARD
12 may request for the Court to enter a protective order to govern the use and disclosure of
13 information that is deemed confidential, trade secret, and commercially sensitive information and
14 documents.

15 Settlement. The parties have engaged in settlement discussions.

16 Later Appearing Parties. Garcia shall serve a copy of this discovery plan and scheduling
17 order on any later appearing party within five days of the party's appearance. The discovery plan
18 and scheduling order shall apply to any later appearing party unless the court, on motion and for
19 good cause show, orders otherwise.

20 Extension or Modification of the Discovery Plan and Scheduling Order. Local Rule 26-3
21 governs modifications or extensions to this discovery plan and scheduling order.

22 Alternative Dispute Resolution. The parties certify that they met and conferred about
23 the possibility of using alternative dispute-resolution processes including mediation, arbitration,
24 and if applicable, early neutral evaluation.

25 Alternative Forms of Case Disposition. The parties certify that they considered
26 consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P.
27 73 and the use of the Short Trial Program (General Order 2013-01).

28 Electronic Service. The parties agree that pursuant to Rules 5(b)(2)(E) and

1 6(d) of the Federal Rules of Civil Procedure any pleadings or other papers may be
2 served by sending such documents by email. To accomplish electronic service on AmGUARD,
3 any documents served by email must include the following email recipients:
4 stephen.erigero@ropers.com; timothy.lepore@ropers.com; julie.mcelligott@ropers.com; and
5 calendar-lao@ropers.com.

6 Electronically Stored Information: The parties have discussed the retention and production
7 of electronic data. The parties stipulate and agree that all discoverable documents will be
8 produced in electronic format as Portable Document Format (“PDF”) files or Tiff. images, or at
9 the request of either party, in native format to the extent it does not impose an undue burden on
10 the producing party, and with optical text recognition (electronically searchable text) as
11 reasonably practicable. The parties further agree that the “parent-child relationships” between
12 documents will be preserved when documents are produced (e.g., e-mails and their attachments
13 will be produced together with consecutive bates numbers) as reasonably practicable.

14 Electronic Evidence: The parties intend to present evidence in electronic format to jurors
15 for the purposes of jury deliberations at trial. The parties discussed the presentation of evidence
16 for juror deliberations, but did not reach any stipulations as to the method as this early stage.

17 **ORDER**

18 **IT IS SO ORDERED.**

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20 UNITED STATES MAGISTRATE JUDGE

21 Dated: May 22, 2023
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